



02/28/02

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Attorney Docket No. 43708.14

CONTINUING APPLICATION TRANSMITTAL

Box PATENT APPLICATION
 Assistant Commissioner for Patents
 Washington, D.C. 20231

Sir:

This is a request for filing a

☐ Continuation ☒ Divisional
 application, under 37 C.F.R. § 1.53(b), of pending prior Application No. 09/428,358, filed October 28, 1999 for: VOLUMETRIC PHYSIOLOGICAL MEASURING SYSTEM AND METHOD by: Morten Eriksen and Eric Eriksen. The entire disclosure of the prior application is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

Enclosed are:

- ☒ Specification and Abstract-- 29 pages
 ☐ Copy of Prior Specification
 or
 ☒ Substitute Specification including no new matter
- ☒ Formal Drawings - 8 sheets (Figs. 1-14)
- ☒ Combined Declaration and Power of Attorney
 ☐ Newly executed
 or
 ☒ Copy from prior application

The filing fee has been calculated as shown below:

	No. Filed	No. Extra	Small Entity Rate	OR	Large Entity Rate
Basic Fee			\$ 370	OR	\$ 740
Total Claims	3 - 20	= 0	x 9 = \$0	OR	x 18 = \$*
Independent Claims	1 - 3	= 0	x 42 = \$	OR	x 84 = \$*
Presence of Multiple Dependent Claim			+ 140	OR	+ 280
		TOTAL	\$ 370	TOTAL	\$

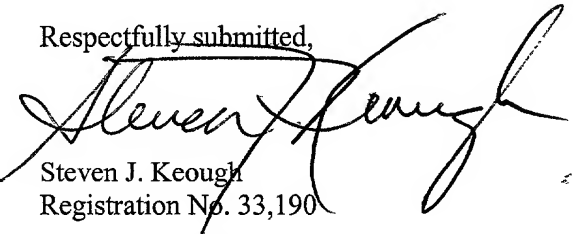
*If the difference is less than zero, enter "0"

1. ☒ A check in the amount of \$370.00 is enclosed. The Commissioner is hereby authorized to grant any extensions of time and to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required during the entire pendency of this application to Deposit Account No. 06-1910.

2. ☐ Cancel in this application claims _____ of the prior application before calculating the filing fee. At least one independent claim is retained for filing purposes.
3. ☒ Amend the specification by inserting before the first line the sentence: --This is a ☐ Continuation ☒ Divisional of Application No. 09/428,358 filed October 28, 1999.--
4. ☐ Priority of foreign application(s) No. _____ filed _____ is claimed under 35 U.S.C. § 119. The certified copy was filed in prior Application No. _____ on _____.
5. ☒ The prior application is assigned of record to VoluSense AS recorded at Reel 010576, Frame 0687.
6. ☐ A Preliminary Amendment is enclosed. Claims added by this Amendment are properly numbered consecutively beginning with the number next following the highest numbered claim in the prior application.
7. ☐ An Information Disclosure Statement is enclosed.
8. ☐ Applicant(s) is/are entitled to small entity status in accordance with 37 CFR 1.27.
9. ☐ CD-ROM or CD-R in duplicate, and Compact Disc Transmittal are enclosed.
10. ☐ Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i) (nonpublication).
11. ☒ Address all future communications to:

Steven J. Keough
Fredrikson & Byron, P.A.
1100 International Centre
900 Second Avenue South
Minneapolis, Minnesota 55408-3397

Respectfully submitted,


Steven J. Keough
Registration No. 33,190

CERTIFICATE OF EXPRESS MAIL

"Express Mail" mailing label number EV 049824250 US. Date of Deposit: February 28, 2002. I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Steven J. Keough
Name of Person Making Deposit
::ODMA\PCDOCS\FBDOCS1\2616301\1


Signature